

1700815-Court-A-U.S.  
 BRUCE F JOBE  
 ATTORNEY AT LAW  
 4312 LUDGATE STREET  
 LUMBERTON, NC 28358-0000

IN RE  
 ARTHUR E. WHEDBEE  
 P.O. BOX 457

CLARKTON, NC 28433  
 SSN or Tax I.D. XXX-XX-1569  
 -----

GAIL S. WHEDBEE  
 P.O. BOX 457

CLARKTON, NC 28433  
 SSN or Tax I.D. XXX-XX-7404

U.S. Bankruptcy Court  
 P.O. Box 791  
 Raleigh, NC 27602

Chapter 13  
 Case Number: 17-00815-5-SWH

#### NOTICE OF MOTION FOR CONFIRMATION OF PLAN

Joseph A. Bledsoe, III, Chapter 13 Trustee has filed papers with the Court to Confirm the Chapter 13 Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the Motion For Confirmation Of Plan, or if you want the court to consider your views on the motion, then on or before 09/18/2017, you or your attorney must file with the court, pursuant to Local Rule 9013-1 and 9014-1, a written response, an answer explaining your position, and a request for hearing at:

U.S. Bankruptcy Court  
 PO Box 791  
 Raleigh, NC 27602

If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above.

You must also mail a copy to debtor(s), debtor(s) attorney and trustee at the following addressses:

Debtor(s):	Attorney:	Trustee:
ARTHUR E. WHEDBEE	BRUCE F JOBE	Joseph A. Bledsoe, III
P.O. BOX 457	ATTORNEY AT LAW	P.O. Box 1618
CLARKTON, NC 28433	4312 LUDGATE STREET	New Bern, NC 28563
-----	LUMBERTON, NC 28358-0000	
GAIL S. WHEDBEE		
P.O. BOX 457		
CLARKTON, NC 28433		

If a response and a request for hearing is filed in writing on or before the date set above, a hearing will be conducted on the motion at a date, time and place to be later set and all parties will be notified accordingly.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: August 16, 2017

Joseph A. Bledsoe, III  
 Chapter 13 Trustee  
 P.O. Box 1618  
 New Bern, NC 28563

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION**

**IN RE:**

**CASE NUMBER: 17-00815-5-SWH**

**ARTHUR E. WHEDBEE**

**GAIL S. WHEDBEE**

**CHAPTER 13**

**DEBTOR(S)**

**MINUTES OF 341 MEETING AND  
MOTION FOR CONFIRMATION OF PLAN**

NOW COMES the Trustee in the above referenced Chapter 13 case moving the Court for an Order confirming the Plan in the case and, in support, of said Motion, says unto the court:

1. That the debtor(s) appeared at the meeting of creditors, as required by 11 U.S.C. § 341 and submitted to an examination under oath by the Trustee on April 5, 2017, or has supplied answers to written interrogatories;
2. The debtor(s) has/have complied with all requirements of 11 U.S.C §521 (a) (1) (B) and Interim Bankruptcy Rules 1007 and 4002 (b), as modified and adopted by this Court, and this case has not been dismissed, nor is it subject to dismissal, under 11 U.S.C. §521 (i);
3. That there are no pending objections to confirmation or other filings or pleadings that would impede the confirmation of the Plan in this case;
4. That the trustee has reviewed the schedules and relative information in the debtor(s) petition and has made a determination of the disposable income for the debtor(s) in this case. The calculation of disposable income impacts what, if any, dividend will be received by unsecured creditors. The debtor(s) plan provides for payments of:

\$200.00	for	6	Months
\$205.00	for	30	Months
	for		Months
	for		Months

5. That the liens of creditors which will not be paid in full during the term of the Plan or which are to be paid directly by the debtor(s) are not affected by the confirmation of this plan;
6. Generally, and subject to orders entered hereafter by the Court, any proof of claim that is not filed on or before July 4, 2017 ("Bar Date") shall be disallowed. Claims of governmental units, proofs of which are not filed before August 16, 2017 ("Government Bar Date") shall be disallowed;
7. That the claims of secured creditors shall be paid as secured to the extent of the claim or to the extent of the value of the collateral as set out below:

## a. Claims to be paid directly by the Debtor:

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
#001 AMERICAN HONDA FINANCE CORPORATION	'15 HONDA CIVIC	OUTSIDE
#002 AMERICAN HONDA FINANCE CORPORATION	'15 HONDA CIVIC – ARREARS	\$340.00 TO BE PAID BY TRUSTEE OVER LIFE OF PLAN
#800 BANK OF AMERICA	142 E. ROBERTS STREET	OUTSIDE
#802 BANK OF AMERICA	142 E. ROBERTS STREET – ARREARS	\$1,166.00 TO BE PAID BY TRUSTEE OVER LIFE OF PLAN
#820 WILMINGTON SAVINGS FUNDS SOCIETY FSB / SELECT PORTFOLIO SERVICING	142 E. ROBERTS STREET	OUTSIDE
#822 WILMINGTON SAVINGS FUNDS SOCIETY FSB / SELECT PORTFOLIO SERVICING	142 E. ROBERTS STREET – ARREARS	\$465.44 TO BE PAID BY TRUSTEE OVER LIFE OF PLAN

## b. Continuing Long Term Debts to be paid by the Trustee:

**IF A PROOF OF CLAIM IS TIMELY FILED** the claim is to be paid on a monthly basis according to the terms of the contract effective the first month after confirmation. Arrearages, if any, are to be paid over the life of the plan. Two post-petition contractual payments shall be included in the administrative arrearage claim. **The Debtor is to resume direct payments upon completion of plan payments.**  
**(SEE PARAGRAPH 8 BELOW)**

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
NONE		

## c. Claims paid to extent of claims as filed (no cramdown):

<u>Creditor</u>	<u>Collateral</u>	<u>Repayment Rate/Term</u>
NONE		

## d. Claims paid to extent of value:

<u>Creditor</u>	<u>Collateral</u>	<u>Present Value</u>	<u>Repayment Rate/Term</u>
NONE			

Pursuant to Local Rule 3070-1(b) some secured creditors may be entitled to pre-confirmation adequate protection payments.

8. **LONG TERM RESIDENTIAL MORTGAGE CLAIMS** shall be paid in a manner consistent with Local Rule 3070-2.
9. That the following creditors have filed secured proofs of claims but, due to the value placed on the collateral, the claims will be treated as unsecured and paid along with other unsecured claims. With respect to claims listed below for which the terms of repayment are listed as "Surrender," upon entry of an Order confirming the plan, as modified by this Motion, the automatic stay of §362(a) and the automatic co-debtor stay of §1301 shall thereupon be lifted and modified with respect to such property "for cause" under §362(a)(1), as allowed by Local Rule 4001-1(b).

NONE

Reference herein to "Direct" or "Outside" or similar language regarding the payment of a claim under this plan means that the debtor(s) or a third party will make the post-petition payments in accordance with the contractual documents which govern the rights and responsibilities of the parties of the transaction, including any contractual modifications thereof, beginning with the first payment that comes due following the order for relief;

10. That the treatment of claims indicated in paragraphs 7 and 9 above, are based on information known to the Trustee at the time of the filing of this Motion. The treatment of some claims may differ from that indicated if subsequent timely filed claims require different treatment;
11. That the following executory contracts and unexpired leases shall be either assumed or rejected as indicated below:

<u>Creditor</u>	<u>Property Leased/Contracted For</u>	<u>Treatment</u>
NONE		

12. That priority claims shall be paid in full over the term of the Plan;
13. That confirmation of this Plan will be without prejudice to pending Motions For Relief From the Automatic Stay and will be without prejudice to objections to claims and avoidance actions;
14. That confirmation of the Plan vests all property of the estate in the debtor(s);
15. That the attorney for the debtor(s) is requesting fees in the amount of \$5,000.00. The Trustee recommends to the Court a fee of \$5,000.00. If the recommended fee is different from that requested an explanation can be found in Exhibit 'A'.

s/ Joseph A. Bledsoe, III  
Joseph A. Bledsoe, III  
Standing Chapter 13 Trustee

**EXHIBIT 'A'****CASE NUMBER: 17-00815-5-SWH****DEBTORS: ARTHUR E. WHEDBEE  
GAIL S. WHEDBEE****EMPLOYMENT:**

Debtor: MAYOR OF TOWN OF CLARKTON, GROSS INCOME: \$28,858.32  
SOCIAL SECURITY, RETIREMENT,  
AND TAX REFUND

Spouse: SOCIAL SECURITY, RETIREMENT, \$17,377.80  
AND TAX REFUND

**Prior Bankruptcy cases:** Yes ☐ No ☒ If so, Chapter filed

Disposition:

**Real Property:** House and Lot ☒ Mobile home ☐ Lot/Land ☐ Mobile Home/Lot ☐

Description: RESIDENCE

FMV \$164,000.00

Date Purchased

Liens \$110,673.69

Purchase Price

Exemptions \$53,326.31

Improvements

Equity \$ 0.00

Insured For

Rent \$921.93

Tax Value

**COMMENTS:****Attorney** Requested: \$5,000.00 (excluding filing fee)**Fees:** Paid: \$112.00 (excluding filing fee)

Balance: \$4,888.00

**Trustee's Recommendation:** \$5,000.00

Comments:

**Plan Information:**

<u>Plan Information:</u>		<u>After 341</u>		<u>Payout % After 341</u>	
Total Debts	\$53,446.22	Pay in	\$7,350.00	Priority	100.00%
Priority	\$4,891.00	Less 6.00%	\$ 441.00	Secured	100.00%
Secured	\$1,971.44	Subtotal	\$6,909.00	Unsecured	0.10%
Unsecured	\$46,583.78	Req. Atty. Fee	Incl. w/ claims	Joint	0.00%
Joint Debts	\$0.00	Available	\$6,909.00	Co-Debts	0.00%
Co-Debtor	\$0.00				

**Payroll Deduction:** Yes ☐ No ☒**Objection to Confirmation:** Yes ☐ No ☒

Pending: SEE COURT DOCKET

Resolved: SEE COURT DOCKET

**Motions Filed:** Yes ☐ No ☒

If so, indicate type and status: SEE COURT DOCKET

Hearing Date:

# CERTIFICATE OF MAILING

0015

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TASK: 08-15-2017.01039638.LSA000 DATED: 08/16/2017

Court Served Electronically

Trustee		Joseph A. Bledsoe, III	P.O. Box 1618 New Bern, NC 28563
Debtor		ARTHUR E. WHEDBEE	P.O. BOX 457 CLARKTON, NC 28433
Joint		GAIL S. WHEDBEE	P.O. BOX 457 CLARKTON, NC 28433
799	000002	BRUCE F JOBE 4312 LUDGATE STREET	ATTORNEY AT LAW LUMBERTON, NC 28358-0000
018	000021	CAVALRY SPV I, LLC STE 400	500 SUMMIT LAKE DRIVE VALHALLA, NY 10595
015	000025	INTERNAL REVENUE SERVICE	PO BOX 7346 PHILADELPHIA, PA 19101
014	000011	INTERNAL REVENUE SERVICE	PO BOX 7346 PHILADELPHIA, PA 19101-7346
003	000009	BANK OF AMERICA	PO BOX 15168 WILMINGTON, DE 19850
010	000018	PORTFOLIO RECOVERY ASSOC	PO BOX 41067 NORFOLK, VA 23541
016	000026	NC DEPARTMENT OF REVENUE	PO BOX 871 RALEIGH, NC 27602-0871
017	000012	NC DEPT OF REVENUE PO BOX 1168	ANGELA C FOUNTAIN BANKRUPTCY RALEIGH, NC 27602-1168
012	000010	EMPLOYMENT SECURITY COMMISSION CHAPTER 13 BANKRUPTCY	PO BOX 26504 RALEIGH, NC 27611
008	000024	BB&T PO BOX 1847	ATTN: JACK HAYES WILSON, NC 27894
004	000013 *CM	BRANCH BANKING & TRUST CO BKY SECT 100-50-01-51 / PO BOX 1847	ATTN: JACK HAYES/ CONFIDENTIAL WILSON, NC 27894-1847
005	000014	BRANCH BANK AND TRUST COMPANY PO BOX 1847	MR. JACK R. HAYES WILSON, NC 27894-1847
006	000015 *CM	BRANCH BANKING & TRUST CO BKY SECT 100-50-01-51 / PO BOX 1847	ATTN: JACK HAYES/ CONFIDENTIAL WILSON, NC 27894-1847
007	000016 *CM	BRANCH BANKING & TRUST CO BKY SECT 100-50-01-51 / PO BOX 1847	ATTN: JACK HAYES/ CONFIDENTIAL WILSON, NC 27894-1847
022	000028	SHAPIRO & INGLE, LLP CHAPTER 13 BANKRUPTCY	10130 PERIMETER PARKWAY, STE. 400 CHARLOTTE, NC 28216
021	000027	BANK OF AMERICA, N.A. POST OFFICE BOX 2505	C/O JOSEPH J. VONNEGUT FAYETTEVILLE, NC 28302
013	000020	GLEN FLORA, INC. 5701 FAYETTEVILLE RD	MANAGING AGENT LUMBERTON, NC 28360-2163
019	000022	SYNCHRONY BANK PO BOX 956060	ATTN: BANKRUPTCY ORLANDO, FL 32896
800	000007 *CM	BANK OF AMERICA	PO BOX 31785 TAMPA, FL 33631-3785
802	000008 *CM	BANK OF AMERICA	PO BOX 31785 TAMPA, FL 33631-3785
011	000019	DISCOVER BANK PO BOX 3025	DISCOVER BANK DISCOVER PRODUCTS NEW ALBANY, OH 43054-3025

CASE: 1700815 TRUSTEE: 2V COURT: 278  
TASK: 08-15-2017.01039638.LSA000 DATED: 08/16/2017

020	000023	MIDLAND CREDIT MANAGEMENT, INC PO BOX 2011	AS AGENT FOR MIDLAND FUNDING LLC WARREN, MI 48090
001	000003	AMERICAN HONDA FINANCE CORPORATION CHAPTER 13 RECOVERY	PO BOX 168088 IRVING, TX 75016-8088
002	000004	AMERICAN HONDA FINANCE CORPORATION CHAPTER 13 RECOVERY	PO BOX 168088 IRVING, TX 75016-8088
820	000005 *CM	WILMINGTON SAVINGS FUND SOCIETY FSB PO BOX 65450	C/O SELECT PORTFOLIO SERVICING SALT LAKE CITY, UT 84165-0450
822	000006 *CM	WILMINGTON SAVINGS FUND SOCIETY FSB PO BOX 65450	C/O SELECT PORTFOLIO SERVICING SALT LAKE CITY, UT 84165-0450
009	000017	CAVALRY SPV I, LLC 3936 E FT. LOWELL RD, SUITE #200	BASS & ASSOCIATES, PC TUCSON, AZ 85712

31 NOTICES

THE ABOVE REFERENCED NOTICE WAS MAILED TO EACH OF THE ABOVE ON 08/16/2017.  
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.  
EXECUTED ON 08/16/2017 BY /S/EPIQ Systems, Inc.

\*CM - Indicates notice served via Certified Mail